

Governor  
**FILE COPY**

**PUEBLO OF LAGUNA**

P.O. BOX 184

LAGUNA, NEW MEXICO 87028

Office of:

The Governor  
The Secretary  
The Treasurer

(505) 243-7616  
(505) 552-6654  
(505) 552-6655

November 18, 1983

Confidential Claim Retracted

Authorized by: SL

Date: 6/12/13

THROUGH: Roland E. Johnson, Superintendent  
Laguna Agency

Mr. Ken Smith  
Assistant Secretary for Indian Affairs  
Department of Interior  
1951 Constitution Avenue N.W.  
Washington, D.C. 20240

Dear Mr. Smith,

Mr. Ron Solimon and Mr. Roland Johnson recently met with representatives of the BIA/Albuquerque Area Office-Office of Rights Protection and Mr. Mike Pool, BLM Task Force Leader concerning the Jackpile/Paguate Environmental Impact Statement. It was a coordinating meeting wherein the various reclamation issues were discussed. The hydrology issue is becoming more complex because of the conflicting opinions on the groundwater recovery level. The groundwater recovery level will dictate the level of backfill that will go into the pits and the need for additional drainage structures. Messrs. Pete Balleau and Mackie Murphy of your Albuquerque Area Office have suggested a solution to the potential ponding and leaching problems in the pits. It appears that his proposed solution will be incorporated into the Task Force Alternative.

We also discussed the Pueblo's position concerning the blast damage to homes in the Village of Paguate. The Pueblo suggests that the Department's agencies combine their efforts and resources in addressing our concern. While a report has recently been prepared by the Bureau of Mines on this subject, it is our opinion that the study does not address the seismic aspect of the same problem. Anaconda previously provided its opinion on this issue via a report from one of their consultants, Mr. Louis Oriard. We requested a technical review from Mr. Dick Bornemann of your Energy & Minerals Office in Golden, Colorado, and he subsequently advised us that the

**RECEIVED**



9384186

NOV 18 1983

CONFIDENTIAL

OFFICE OF LAGUNA  
POL-EPA01-0008287  
GOVERNOR'S OFFICE

Mr. Ken Smith  
November 18, 1983  
Page 2

criteria used by Mr. Oriard in arriving at his conclusions may not have been directly applicable. We have since contacted Mr. Ken King, a seismic specialist with the U.S. Geological survey, who is working on the Chaco Canyon project. He is willing to participate in the further study of this issue if a proper directive is given and funds are made available. The Pueblo does not have enough information to formulate a position on this issue; therefore, we would appreciate the availability of Mr. King's expertise. We request that you seek the identification of funds allocated to the Task Force for such technical studies and that such funds be earmarked for a vibrations (seismic) study of the blast damage issue. We suggest that the Area Director, Mr. Vincent Little work with the BLM State Director, Mr. Charles Luscher in the identification of resources so that this problem can be adequately addressed in the proper exercise of the Department's trust responsibility. We appreciate your previous attention to this reclamation problem.

Sincerely,

PUEBLO OF LAGUNA

  
Edwin M. Martinez  
Governor

EMM/RJS:lv